IN RE: PETITION FOR VARIANCE
W/S of Spring Avenue, 710' S
centerline of Monumental Road
13th Election District
1st Councilmanic District
(4300 Spring Avenue)

Caryn L. Mellott & Ronald W. Channell Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-417-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the property, Caryn L. Mellott and Ronald W. Channell. The Petitioners are requesting a variance for property they own at 4300 Spring Avenue, located in the Halethorpe area of Baltimore County. The variance request is from Section 415.A and B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a recreational vehicle (boat) to be parked on the front yard in lieu of the required side or rear yard.

Appearing at the hearing on behalf of the variance request were Ronald Channell and Caryn Mellott, owners of the property. Appearing in opposition to the Petitioners' request were Richard Uebel and David White. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.15 acres of land, more or less, zoned D.R.2. The subject property is improved with a single-family residential dwelling whereupon the Petitioners reside. Recently, the property owners purchased an 18-ft. runabout boat which has been stored in their front yard. These property owners were unaware that the storage of this boat in their front yard was not permissible. Once the violation was brought to their attention, the boat was removed from the property and is currently stored at a mini storage facility. The property owners are now requesting that they be given permanent permission to store the boat in their front yard.

S/30/2

As stated previously, Mr. Richard Uebel and David White, nearby property owners, appeared in opposition to the Petitioners' request. Mr. Uebel opposes the storage of this boat in the Petitioners' front yard. He stated the reasons for his opposition on the record at the public hearing. In addition, a petition opposing the variance request was submitted at the hearing and was signed by several residents of the neighborhood. Mr. Uebel indicated that he would like the Zoning Regulations to be applied evenhandedly to all of the neighbors residing in this community. He, himself, has had to relocate a work truck which he previously parked at his residential property. He, therefore, asks that the Petitioners' boat be removed from the front of their house.

After considering the testimony and evidence offered by the Petitioners, as well as the protestants, I find that the variance to allow this boat to be parked in the front yard of the property located at 4300 Spring Avenue should be denied. In the event these neighbors are able to resolve this issue regarding the storage of this boat, then I would be happy to entertain a request for reconsideration of this denial. However, as the case stands at this point, based on the testimony and evidence offered at the hearing, the variance request should be denied.

THEREFORE, IT IS ORDERED this day of May, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance to store a boat in their front yard in lieu of the required side or rear yard, be and is hereby DENIED.

IT IS FURTHER ORDERED, that any appeal or request for modification of this decision must be made within thirty (30) days of the date of this Order.

ГІМОТНҮ М. КОТРОСО

DEPUTY ZONING COMMISSIONER

with lotroco

FOR BALTIMORE COUNTY

TMK:raj



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

May 30, 2002

Ms. Caryn L. Mellott Mr. Ronald W. Channell 4300 Spring Avenue Baltimore, Maryland 21227

> Re: Petition for Variance Case No. 02-417-A

> > Property: 4300 Spring Avenue

Dear Ms. Mellott & Mr. Channell:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

buthy Hotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: Richard Uebel 4301 Spring Avenue Baltimore, MD 21227 David White 4303 Spring Avenue Baltimore, MD 21227

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	4300 Address	Spring	Ave		<u> </u>
	Hal-thor		Md. State		21227
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi Duk the ina lackyard of our house hecessary guidelines we would, however liveat on our off-strand of our house.	wing are the fair or practical of course of particles of the particles of	acts upon whilifficulty): relity ve are toring of the los rking	ich I/we base the of lioth unable run 18'7 tablishea pad lo	e request for a sides to mee trailere place cated i	and and the docat for our
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature Canaba W. Channell Name - Type or Print	ormal demand additional inforr	nation.	ant(s) will be required to the second of the		. •
STATE OF MARYLAND, COUNTY OF BALTIM HEREBY CERTIFY, this day of the County aforesaid, per	DIGH	ed	, before m	e, a Notary Ρι	ublic of the State
the Affiant(s) herein, personally known or satisfa	ctorily identified	d to me as su	ch Affiant(s)		
AS WITNESS my hand and Notarial Seal	,	yPublic	Telle	M	
REV 10/25/01		HINES OF CHARGE	APY Public ora Co. Maryland ora. exp. 5/1/2004		



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4300 Society Ave Holathacoe which is presently zoned $\mathcal{D}\mathcal{R}$.

I/We do solemnly declare and affirm, under the penalties of

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415 A. I. A and B to allow a

recreational vehicle (boat) to be parked on the front lot in lieu of the required side or rear

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. i, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are is the subject of this F	the legal owner(s) of Petition	the property which
Contract Purchaser/L	essee:		Legal Owner(s):		
Name - Type or Print			Name - Type or Print	annell + Con	n L. Mellott
Signature			Signature Chu	omill	
Address		Telephone No	Name - Type or Print	Mellott	
City	State	Zip Code	Signature Z	I Villon	
Attorney For Petitione	<u>er:</u>		4.360 Sp.	cing Ave	410-247-3147 Telephone No
Name - Type or Print			- Halether De	M/ State	21227 Zip Code
Signature			Representative to		,
Company			Name		
Adoxess		Telephone No	Address		Telephone No
at &	State	Zip Code	City	State	Zíp Code
A Public Hearing having been day of egulations of Baltimore County a CASE NO.		the subject matter or to be reposted.	nis petition be set for a public	nearing, advertised, as	required by the zoning
0		ı Nev	iewed by //	<u> /</u> Date <u>3~2</u>	2/-02

Estimated Posting Date __ 4 - 8 - 02

ZONING DESCRIPTION FOR 4300 Spring Ave.

Beginning at a point on the West side of Spring Ave

At a distance of 710 ft. South of the centerline of the nearest improved intersecting street Monumental Rd.

Being lot # 17 Block ____, Section # ____, in the subdivision of Oak Park as recorded in Baltimore County Plat Book # 63, Folio # 45,

containing 6,577 sq. ft. Also known as 4300 Spring Ave. and located in the 13th Election District, 1st Councilmanic District.

Item # 417

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BALTIMORE COUNTY, MAP OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE		RECEIVED			DISTRIBUTION WHITE - CASHIF
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FORMAL DEMAND FOR HEARING

CASE NUMBER:	1
Address: 4300 SPRING AVE.	21227
Petitioner(s): CHANNELL MELLO	OTT
TO THE ZONING COMMISSIONER OF BALTIM	IORE COUNTY:
I/We Kichaed C. Uebel Name - Type of Print	
() Legal Owner OR () Resident	of
4301 STRING AVE	
Address Lindolnoene 1Md	21227-4559
City State	Zip Code
410 - 536 - 901 6 Telephone Number	
1: 1 is leasted approximately 30	feet from the
formally demand that a public hearing be	26f III filia marro.
ATTACHED IS THE REQUIRED PROCESSING	FEE FOR THIS
DEMAND.	
De CC Vebel	4-22-02
Signature	Date
Signature	Date
Revised 9/18/98 - wcr/scj	

		CR 10. OLZ731.	Necryt fot 859,000 OD OK 50,00 (16 Dalltipore County, Narylawi	Full street in the second street.		CASHIER'S VALIDATION
No. 1	RODICOIDAISO	20 g		A-1114-80		
BALTIMORE COUNTY, MARYLAN' OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 1/22/02 ACCOUNT R	AMOUNT \$	PROM. CLUHAND DEBEL	FOR NEQUEST FOR HEARING	4200 SPRING AVE.	WHITE - CASHIER PINK - AGENCY YELLOW - GUSTOMER

CERTIFICATE OF POSTING

	RE: Case No.: 02.417.4
•	Petitioner/Developer: RONALD
	Date of Hearing/Closing: 4/23/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Fowson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	•
adies and Gentlemen:	
	
	of perjury that the necessary sign(s) required by law
were posted conspicuously on the property	located at 4300 SPRING AVE
The sign(s) were posted on	4 / 8 / 02 (Month, Day, Year)
K*	•
	Sincerely,
	4/8/02
	(Signature of Sign Poster and Date)
POPERFORM A SECREPTION WIND CHARLEST THE PROPERTY OF THE PROPE	SSG ROBERT BLACK
	(Printed Name)
The state of the s	1508 Leslie Rd
	(Address)
American de la company de la c	Dundalk, Maryland 21222
	(City, State, Zip Code)
The state of the s	(410) 282-7940
	(Telephone Number)

CERTIFICATE OF POSTING

•	RE: Case No.: 02-417-A
•	Petitioner/Developer: RONALD
	Charrell
	Date of Hearing/Closing: 5/28/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapsake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	•
Ladies and Gentlemen:	
-	perjury that the necessary sign(s) required by law
were posted conspicuously on the property le	ocated at 4300 SPRING AVE
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The sign(s) were posted on	5/13/02_ (Month, Day, Year)
,	Sincerely,
ZONINA PARA	Samuely,
Case # A	5/13/37
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See 3 Topic See 3	(Printed Name)
Transfer to all the grant part of the contract	1508 Leslie Rd
The second of the last designation of the last designa	(Address)
	Dendalk, Maryland 21222
The state of the s	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 02-	417 -A	Ado	Iress <u>43</u>	00	Spring Ave	· · · · · · · · · · · · · · · · · · ·
Conta	ct Person:	David Planner Plea	Se Print Your Name			Phone Number: 4	410-887-3391
Filing	Date: 3 - 2	27-02	Posting D	ate: <u>'4 - 8</u>	3-02	Closing Date	: 4-23-02
		with this office person (planner)			the adn	ninistrative varian	ce should be
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2.	a formal req		c hearing. Pl	ease unde	rstand t	or owner within 1,0 hat even if there closing date.	
3.	commissione order that the (typically with	r. He may: (a) e matter be se iin 7 to 10 days	grant the req t in for a pub of the closing o	uested relie lic hearing date) as to	ef; (b) d . You whether	y the zoning or ceny the requested will receive writted the petition has lead to by First Class	d relief; or (c) n notification been granted,
4.	(whether due commissione changed givin	e to a neighbor r), notification v ng notice of the	's formal requ vill be forward hearing date, t	est or by e ed to you. ime and loo	order of The : cation. /	hat must go to a ping the zoning or disign on the propension the sign ered sign must be	eputy zoning erty must be was originally
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Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 24, 2002

Ronald W. Channell & Caryn L. Mellott 4300 Spring Avenue Halethorpe, MD 21227

Dear Ronald W. Channell & Caryn L. Mellott:

RE: Case Number: 02-417-A, 4300 Spring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 3/27/02.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Very truly yours,

W. Cont Charlo My. Supervisor, Zoning Review

WCR:

Enclosures

c: People's Counsel



INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 1, 2002

Department of Permits & Development

Management

FROM:

obert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 8, 2002

Item Nos. 401, 402, 404, 405, 406, 407, 408, 409, 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 421,

422, 423 and 425

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

April 12,2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 401, 402, 404-417, 419-425

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

COUNTY REVIEW GROUP MEETING (PRIVATE)



TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

May 1, 2002

Zoning Advisory Committee Meeting of April 8, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

401, 404, 405, 406, 407, 410, 412, 413, 414, 417, 418, 420, 421, 423

Sign SpA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 16 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

APR 1 7 2002

SUBJECT:

Zoning Advisory Petition(s): Case(s) 02-417

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC







Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

4.12.02 Date:

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

Item No. 417 スロロ

Dear, Mr. Zahner:

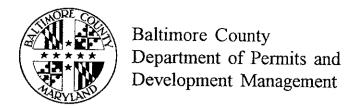
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Dell

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 23, 2002

Mr. Ronald W Channell 4300 Spring Avenue Halethorpe MD 21227

Dear Mr. Channell:

RE: Demand for Public Hearing, Administrative Variance, Case Number 02-417-A

The purpose of this letter is to officially notify you that we have received a Formal Demand For Hearing of the subject property and has resulted in a timely demand on 4300 Spring Avenue for a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.

Supervisor

Zoning Review Goz

WCR: gdz

C: Richard Uebel, 4301 Spring Avenue, Halethorpe 21227 Caryn L Mellott, 4300 Spring Avenue, Halethorpe 21227

April 18,2002

To whom it may concern,

We, the residents of Spring Ave, are writing this letter to appeal the request for the variance # 02-417A. The first and foremost reason is safety. We have a considerable amount of young children in this specific area. In fact the homes on either side of this property have children under 4 years old. We feel that a boat in the front driveway would be a great hazard. With the children often playing in the front yards it is very possible for mishaps to occur. For example, if a child would bump into the boat while playing ball, the boat could possibly become unstable and roll. If this were to happen, anyone on the sidewalk would be injured. Also a concern among the neighbors is the appearance of our neighborhood. We feel that if it was allowed to have one family park its' recreational vehicle in the front of their house it wouldn't be long before everyone else would follow suit. There are others in the same situation that, for the sake of keeping our neighborhood nice, are considerate enough to follow zoning rules and utilize the sides and backs of their homes for storage. Why can't he do the same? Another problem with this individual is the fact that he has left the boat attached to his Durrango pulled in front of the house on the street, for long periods of times. This makes it next to impossible to see coming out of driveways. In fact it is just a matter of time before someone has an accident leaving his or her home or worst, a child is killed because of not being able to see around the boat to cross the street. We ask you to consider this appeal and the opinions of the residents of this community. Below are the names and numbers of concerned residents.

Juli Leay 4304 Spung ave Baltinow, MD 21227 410-536-0364

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
Ronald W. Channell	4300 Spring Ave	Baltimore M	21227
Caryn L. Mellott	4300 Spring Ave.	Baltimore MI	21227
	/ ()		
			* ## AM - ## A
			W. Prayrice
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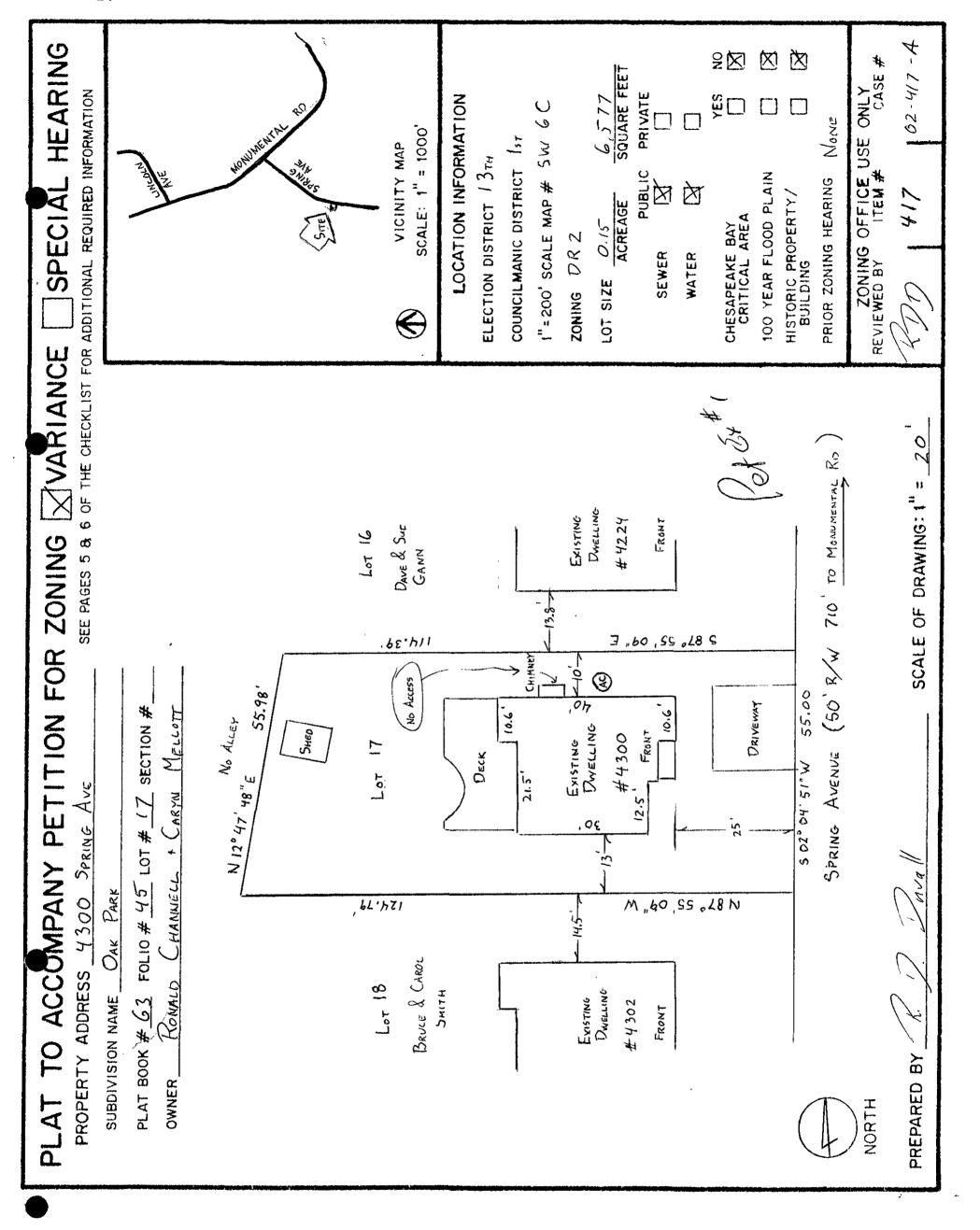
	-		
		Revised 4	/17/00

Case Number <u>02-417-A</u>

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
Richard Uebel	4301 SPRING AVE	Halethoepe Md	21227-455
Richaed Uebel David withte	4301 SPRING AVE	BACO. No.	21227
		Revised 4	/17/00



MapQuest: Maps Page 1 of 1



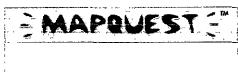
4300 Spring Ave Halethorpe, MD 21227-4558, US





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- MAPQUEST =

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Item# 417

